



COCHISE COUNTY PLANNING & ZONING COMMISSION

September 12, 2012

Cochise County Complex
Board of Supervisors, Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

The regular meeting of the Cochise County Planning & Zoning Commission was called to order at 4:00 p.m. by Chair Lynch at the Cochise County Complex, 1415 Melody Lane Building G, Bisbee, Arizona in the Board of Supervisors Board Room.

Chair Lynch announced that Docket SU-12-12 was being postponed until the October 2012 meeting, and explained the procedures and protocols for the meeting to the public. As part of this, he included an explanation regarding the procedures for tie votes on Special Use Dockets.

ROLL CALL

Chair Lynch noted the presence of a quorum. He instructed the Commissioners to indicate their presence and their respective Districts.

- 1. Present:** Mr. Jim Martzke, Ms. Carmen Miller, Mr. Tim Cervantes, Mr. Jim Lynch, Mr. Jay Sanger, Mr. Ron Bemis, and Ms. Pat Edie.
- 2. Absent:** Gary Brauchla and Raul Montaña.

CALL TO THE PUBLIC

Chair Lynch opened "Call to the Public," and Mr. Jack Cook spoke about various matters.

APPROVAL OF PREVIOUS MONTH'S MINUTES

Mr. Lynch noted some corrections to the previous month's minutes. He called for a motion to approve the minutes as corrected. Mr. Martzke moved to approve the motion, Mr. Bemis seconded.

Motion: Approve the minutes of the August 11, 2012

Action: Approve **Moved by** Mr. Martzke, **Seconded by** Mr. Bemis

Vote: Motion passed unanimously

Yes: Jim Martzke, Jim Lynch, Ron Bemis, Pat Edie, Carmen Miller, Tim Cervantes, Jay Sanger

No: 0

Absent: Raul Montañño and Gary Brauchla

NEW BUSINESS

Before calling the first Docket, the Chairman suggested a new way to record Commission votes so as to establish a clear record of such. There was a brief discussion on this matter, after which he passed out the forms to staff so the votes could be recorded.

PUBLIC HEARING, DOCKET SU-08-17A (Lucore) – The Applicant, Ana Lucore of Children’s Ranch, received Special Use approval in the fall of 2008 for a large, multi-use foster care center, which was to feature site built homes, a number of indoor and outdoor recreational opportunities, religious and educational facilities, office space, and facilities for guests and volunteers. Since that time a small number of manufactured homes have been sited on the property for foster families, on-site caretakers and administrative staff. The Applicant seeks to have conditions requiring them to develop the site according to the 2007 concept plan removed, and to allow expanded utilization of manufactured homes to meet the needs of the Ranch. This will require a Special Use Modification at a public hearing before the Commission.

Senior Planner Keith Dennis delivered the staff report for this Docket, reminding the Commission as to why the Docket had been continued from the previous month. He stated that the staff report for the item would be truncated to allow Applicant Ana Lucore and her staff to provide the Commission with answers to some concerns raised at the August 2012 meeting. Primarily, the Commission had asked for further explanation regarding 1) efforts to obtain permanent legal access to the property; 2) the availability of emergency services protection; and 3) the long term viability of the project, particularly relative to whether the property would ever be built out according to the approved 2008 concept plan.

Mr. Dennis reminded the Commission that the request at this point was to allow the Applicant to proceed with a short term plan to install three additional manufactured homes on the property, as well as a small school/chapel building. He offered the Commission a recommendation of approval and explained the approval conditions recommended.

Chairman Lynch asked the Commission if there were questions for staff; seeing none, he opened the public hearing and asked the Applicant to speak. Applicant, Ms. Ana Lucore presented the Commission with a photo slide show of the Children’s Ranch. She used these photos as a means of taking the Commission on a virtual tour of the facility, with an attempt to use these to answer Commission questions about the Ranch. She concluded and asked for questions of the Commission.

Ms. Edie thanked the Applicant for providing staff and the Commission with a detailed attempt to address concerns raised at the August hearing.

Mr. Martzke asked if there had been any news as to the attempts to obtain legal access to the property. Ms. Lucore provided an update as to recent correspondence between the Ranch and the railroad company, but that these negotiations were ongoing and not final.

Mr. Dennis suggested to the Chairman that, as there was remaining time for the Applicant's presentation, that the Ranch finance director be brought to the podium to speak. The Chair and Applicant agreed and Jim Cox approached the podium.

Mr. Cox informed the Commission that he was the finance director for the Children's Ranch, and offered an overview of the operation from a financial perspective. His purpose was to inform the Commission that the Ranch was and had always been financially sound. He said that the Ranch had operated almost exclusively from private donations and had only recently begun accepting public monies. He said there are eight full time employees. He also said that the Ranch is now developed enough to be part of the Arizona foster care system, and that there is an extremely high demand for their services. He said the operation is solvent and generates income but not yet enough to build out the property as originally planned. Mr. Cox said that because the Ranch has developed as it has, they have something they can show to potential partners, rather than to try and sell them on an idea. He concluded his presentation, telling the Commissioners that "time is running out."

Mr. Lynch noted that there were 14 members of the public who had turned in speaker request forms and explained to the audience the procedures for speaking at the public hearing. He opened the public hearing and invited Mr. Bradford Martin to speak. Mr. Martin spoke in favor of the request, noting that he had been in an accident on the Ranch years ago. He said he had access to emergency services on the property when he had an accident. Mr. Sanger asked how long it took to be picked up. Mr. Martin said 30 minutes is the time it takes to get to Tucson.

Larry Lane spoke, stating he was a licensed contractor and was the chief contractor for the Children's Ranch. He said it was an honor to be selected as the builder for the Ranch.

Ms. Sharon Butts did not wish to speak but was in support of the request.

Mr. Mark Stevens spoke, linking his experience as a chaplain for the Arizona Department of Corrections to his support for the Ranch, for which he is also a chaplain. He said that quality, faith-based foster care could lead to fewer incarcerations among adults.

Kathleen Stevens then spoke in favor of the Ranch. She is program director of the Children's Ranch. She said they regularly receive phone calls from the state asking to place foster children on the property, and therefore, the need for additional beds for foster children is immediate and great. She stated that the Ranch was working to obtain legal access. She explained the many requirements and regulations governing the operation, and showed the Commission a binder full of paperwork that the operation had to complete for the various components of their licensure. She noted several daily life safety procedures that each home on the property has to follow, and described the on-site firefighting storage tank. She said the homes on the property were adequately separated to prevent fire from spreading. She said the St. David Fire Department had been called to the property earlier in 2012.

Mr. Sanger asked how many children were on the property. Ms. Stevens said there were seven children but that they were licensed for eight. He asked how they were planning to grow to accommodate more children. Ms. Stevens said that, if granted by the Commission, the current request would provide the capacity needed to accommodate additional children. Mr. Sanger

asked if the children were school-aged, and if they were transported by the Benson school bus system. She said they were, but that the Ranch fleet vehicles provided transport per state regulations.

Mr. James White stated he lived on the Ranch, and stated that the Ranch does not lie at the end of the road, but instead, several neighbors lived beyond the Ranch along Grapevine Loop. He said the Ranch maintains the road in good condition. He invited questions from the Commission. Mr. Sanger asked how many neighbors lay north of the Ranch along to road. Mr. White said four.

Ms. Susan Cox then spoke in favor of the request. She said her family had been involved with Ana Lucore and the Ranch for over 10 years. She asked for the Commission's support for the modification request.

Ned Letto, a Court-appointed Special Advocate, spoke in favor of the request. He said that in his experience, the Children's Ranch was the best foster care facility he has seen.

He stated that there were 13,497 children in the foster care system in Arizona as of the end of July 2012, a 22% increase from the previous year. He said the Children's Ranch is the finest facility of its kind in Arizona.

Mr. Michael Klein then spoke in opposition to the request. He said he is not against the operation, but said there is no legal access to the property. He said that any such access will be private, not public. He said that rail cars along that stretch of the railroad were filled with explosives, and that this is a safety hazard. He said legal access is a must for such a business. He concluded by saying that he did not want to see a trailer park in the neighborhood, and hoped that the Ranch could control the children living there.

Mr. Lynch then offered Ms. Lucore the chance to rebut. Mr. Cox approached the podium. He said the Ranch will never borrow any money. He spoke of the challenges of working with the railroad for access. He also said the question of who would pay for associated improvements was unresolved as yet. He invited questions. Mr. Martzke asked if there was a way to gain a temporary access from the railroad. He said he voted in favor of the proposal the previous month in order to guarantee a second hearing tonight. He said he was sympathetic to the Ranch, but said that a real, legal means of access was imperative. Mr. Cox said working with the railroad takes a long time. He said the railroad could shut down the access at any time, but that all indications were that there were no such plans, and that the railroad was on track to grant legal access.

Mr. Lynch asked if this was a primary rail line and how many trains used this section. Mr. Cox said this was a side spur used exclusively by nearby Apache Nitrogen as a staging area.

Ms. Lucore clarified on this point, whereupon Mr. Cox said that when complete the Grapevine Loop will not only be legal, but will be improved to City of Benson standards, and that the costs for this are one reason why the negotiations are taking as long as they are. When asked by Mr. Lynch, he stated that anhydrous ammonia is the cargo most often found in those rail cars along this spur of the railroad.

Mr. Britt Hansen, Deputy County Attorney, clarified what it is that the Commission is considering. He said that, recognizing the issues with obtaining access from the railroad company, the Commission in 2008 granted the Special Use knowing that legal access was not secure, with the understanding, made explicit by a condition of approval, that all risk associated with the lack of legal access was to fall upon the Applicant. He said that the situation is essentially the same today, but the issue regarding the waiver of the legal access development standard was not, strictly speaking, up for discussion or action tonight. Mr. Lynch restated that the question before the Commission was the allowance of three additional manufactured homes on the property, and that the access question had been essentially settled in 2008. Mr. Martzke asked as to the County's liability for permitting the operation without legal access. Mr. Hansen said there was no legal liability to the County under the request. Mr. Martzke said that each child was required to be visited once per month by a case worker. He said that going to 16 children would double the number of trips by case workers, and that under these circumstances the need for legal access was greater. He was concerned as to the County's liability from allowing this request without legal access.

Mr. Dennis then asked that Ms. Karen Lamberton, County Transportation Planner, to speak on this issue. She said that what was under discussion was allowing a different type of housing unit than that which had been allowed under the 2008 approval. From a trip generation standpoint, manufactured homes versus site built homes as had been originally approved, made no difference from a transportation standpoint. She further stated that by most measures negotiations for dedicated access were proceeding relatively quickly given the circumstances.

Mr. Lynch then declared the public hearing closed. He invited further discussion and saw none. He said this was a safety issue rather than an access issue per se, noting that emergency service providers would respond regardless. He said that changing the housing allowance from site built to manufactured housing made little difference. He asked for staff's recommendation.

Mr. Dennis reminded the Commission that, under what had been approved in 2008, should the Commission deny the current request, the Applicant would be compelled to build the property out as approved. Doing so would include 10 site built homes and a number of ancillary uses without legal access, because the Commission had approved the Docket with a concept plan outlining such development with the knowledge that legal access was not in place. He restated staff's recommendation of conditional approval.

Mr. Lynch called for questions of staff. Seeing none he called for a motion. Mr. Ron Bemis moved to approve the Docket as recommended by staff; Mr. Martzke seconded the motion.

Mr. Bemis said that the access concern was more properly a state issue, and that since the state had issued license to the Ranch without the legal access being in place, it was likely incumbent upon the Commission to approve the Docket, thereby following the state's example on this issue. The Chairman called for the vote, which was unanimous in favor of approving Docket SU-08-17A.

Motion: Approve Docket SU-08-17A with the conditions of approval recommended by staff.

Moved by Mr. Bemis, **Seconded by** Mr. Martzke

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Carmen Miller, Pat Edie, Jim Lynch, Ron Bemis, Jay Sanger, Tim Cervantes.

Mr. Lynch then called for the next Docket.

PUBLIC HEARING DOCKET S-12-10 (Lincoln): - The Applicant seeks Special Use authorization from the Planning and Zoning Commission for a Bed & Breakfast Inn. Bed & Breakfast Inns are allowed as permitted uses unless a neighbor protests, in which case the permit is referred to the Commission and processed as a Special Use. The subject Parcel (114-18-175A) is located at 457 N. Ironwood Court in Pearce, AZ. The Applicant is Jessica Lincoln.

Senior Planner Keith Dennis delivered the staff report on behalf of the Department, and explained the process by which an application for a Bed & Breakfast Inn must be heard by the Planning Commission.

He offered the facts of the case using site plans, photos, and maps. He displayed maps depicting the level of support and protest in the community for the project.

He then listed the factors for and against approval, noting that the project is in keeping with the policies of the Mid-Sulphur Springs Valley Area Plan, and concluded the staff presentation.

Mr. Lynch invited questions of staff; seeing none, he opened the public hearing. Mrs. Jessica Lincoln, the Applicant, presented her case to the Commission. She stated that she has been an entrepreneur all her life, that the property and the home were superior, and that the Sunsites community needs new businesses and investment. She said the operation would be clean, quiet, and unobtrusive in the neighborhood.

Mr. Lynch then declared the public hearing open, noting that there were “five or six” members of the public who wished to speak in favor of the proposal and one against.

Mr. Ray Klumb, local business owner and president of the Sunsites Community Association, spoke first. He stated he had been sent by the Association in his capacity as president to speak in favor of the Docket.

Robert Fino spoke next, stating that any minor negative impact from the business would be outweighed by the benefit the proposed Bed & Breakfast would bring to the community.

Virginia Fisher spoke in favor of the request. She said it would be an asset to the community as there was a need for more guest lodging in the area.

Timothy Heine said the business could not only attract tourists, but might also play a role in drawing new residents to Sunsites.

Mr. Lynch then invited John Schneider to speak in opposition to the Docket. He said his home would “become the noise barrier” for the Bed & Breakfast, and was concerned about traffic at all hours of the day and night. He said he understood that people feel it would benefit the community, but he did not see the business creating as a positive impact.

Mrs. Lincoln then offered a rebuttal, stating that her home and that of the opposing neighbor are 300 feet away. She said his dog barks throughout the day and night which is a nuisance. She said her business would be beautiful and quiet.

Motion: Approve Docket SU-12-10 with the conditions of approval as recommended by staff.

Moved by Mr. Martzke, **Seconded by** Mr. Sanger

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Carmen Miller, Pat Edie, Jim Lynch, Ron Bemis, Jay Sanger, Tim Cervantes.

PUBLIC HEARING, DOCKET SU-12-11 (Miller): The Applicant, Crystal Miller of Western Junction Bar and Grill, intends to hold regular outdoor events such as concerts, rodeos, and biker rallies, some of which may include on-site dry camping, and seeks a Special Use authorization from the Planning and Zoning Commission for Outdoor Recreation (Section 607.07) and Guest Lodging (607.01). The subject parcel (103-88-002B) is located at 5838 Double Adobe Road in McNeal, AZ.

Senior Planner Keith Dennis delivered the staff report for this Docket. He provided the Commission with the history of the property, including a number of temporary use permits that had been issued for events on the property recently, and that the Applicant now seeks to establish guest lodging and outdoor recreation as permanent uses on the property. He stated that the campground proposal was somewhat informal relative to what is customary for such uses, because the Applicant in fact wants a permit for camping, but nonetheless intends to allow camping on an incidental basis. He presented photos and maps describing the use, and spent some time explaining the concept plan as well as the development standard modifications being requested.

He further explained the transportation-related conditions being recommended by staff including right-of-way dedication, improving the Double Adobe Road access apron, and the need for temporary signage for larger events.

He concluded by offering factors in favor and against approval.

Chairman Lynch invited the Commissioners to question staff. Mr. Bemis asked if the parcel to the north was private or State Trust land. Mr. Dennis indicated he was unsure.

Mr. Lynch then asked for the Applicant’s statement, whereupon Crystal Miller delivered her testimony. She said she does not want her business to be known only as a bar, but would like to give back to the community. She says most of the outdoor events she holds are charity events benefitting different local causes. She wants to hold outdoor concerts, biker rallies, mud bogs and rodeos.

Opening the public hearing, the Chairman invited the public to speak. Sara Monson spoke in opposition to the project, stating she is concerned about loud motorcycles and traffic from biker rally events.

Ms. Miller then offered a rebuttal, stating that the noise from motorcycles is a fact and is unavoidable, but that she only intends to hold two biker events per year. She said most of the events will not be biker-related events.

Mr. Bemis asked if she intended to hold 4H or FFA events at the arena. Ms. Miller indicated she is open to such a possibility.

The Chairman then closed the public hearing and asked for Commission discussion. Mr. Bemis said he feels the use is appropriate. He explained that most ropers arrive with their own trailers for lodging while on the circuit, and the concept plan reflects this.

Mr. Lynch called for the staff recommendation. Mr. Dennis offered a recommendation of conditional approval with development standard modifications. He explained the conditions being recommended by staff.

Motion: Approve Docket SU-12-11 with the conditions of approval recommended by staff and the modifications requested by the Applicant. **Moved by** Ron Bemis, **Seconded by** Jim Martzke.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Carmen Miller, Pat Edie, Jim Lynch, Ron Bemis, Jay Sanger, Tim Cervantes.

Chairman Lynch then called for the next Docket.

PUBLIC HEARING DOCKET Z-12-06 (Seitz/Hutson): The Applicant seeks to rezone three contiguous parcels in Sunsites from RU-4 (Rural; minimum lot size 4 acres) to LI (Light Industrial). The three subject parcels (Nos. 118-05-054; -055; -056) are 12 acres in total and located at the southwest corner of State Highway 191 and Birch Rd. The Applicant, Alan Seitz of Cochise, AZ (Vincent Hutson of Cochise, AZ, Agent for Applicant) intends to use an existing 16,000 sq.-ft. building to store and sell agricultural-related products.

Planning Manager Michael Turisk presented the Docket, explaining the request through the use of maps, slides, photos and discussion. He indicated the intent of the Applicant was to use an existing building for an agricultural-related wholesale operation, with the use of the remaining two parcels to be decided later. He pointed out that the parcels were within an area marked for rezoning to Light Industry on the Mid Sulphur Springs Valley Area Plan map.

Mr. Turisk noted one letter in support of the request, and one letter opposing.

He concluded by offering factors in favor and against approval and invited questions from the Commission.

Mr. Lynch invited the Commissioners to question staff. Seeing none, he asked for a statement from the Applicant.

Mr. Vince Hutson explained the request, noting that his partner, Mr. Seitz, was an area farmer and intended to use the building to supply other farmers. He said there have been other rezonings to Light Industry in the area in the last several years.

Mr. Bemis asked if this was to be an open-ended rezoning. Mr. Hutson spoke about the building on the northernmost of the three parcels to be rezoned and described the business proposed for that site. Mr. Bemis restated it to clarify.

Mr. Sanger then said that the purpose of the rezoning is for the future. Mr. Seitz said that his client understood that the agriculture-related warehousing, distribution and storage could be done through a special use process, but he did not want to be bound by Special Use conditions.

Mr. Lynch asked if any hazardous materials would be stored on the property, and Mr. Hutson said his understanding was that there would not be. Mr. Turisk suggested that mitigation for hazardous materials would be handled at the commercial permit level.

Mr. Lynch invited additional questions for the Applicant. Seeing none, he called for public comments. There being none, he asked for Commission discussion. Mr. Bemis asked staff if the agricultural tax status would remain on the property if the rezoning is successful. Mr. Turisk suggested the tax status would remain unchanged.

Mr. Lynch said he was confused as to the real purpose of the rezoning. He asked if the business could be conducted without the need for a rezoning. Mr. Turisk informed him that this as well as other agriculture-related land uses could be permitted under the Special Use process. Mr. Lynch then suggested the purpose might be to raise the value of the property through a rezoning. Since the use could take place without a rezoning, he speculated as to why the Applicant was pursuing a rezoning.

Mr. Martzke asked if the Applicant would still have to pursue a rezoning should he decide to cease farming. Mr. Turisk re-iterated the facts about Special Uses in the Rural District.

Mr. Bemis said Mr. Seitz was an honorable man and is very active in the sale of seed and other agricultural products to the local farming community. He said he understood the concerns of the Commission, and shared them, but he said that based on his trust of the Applicant, he was inclined to support the request.

Mr. Lynch then asked for a staff recommendation, which Planning Manager Michael Turisk provided, along with the recommended conditions of approval. He said the Docket would be heard by the Board of Supervisors on September 25, 2012.

Mr. Lynch asked to see the map again, and he asked where the property was in relation to areas rezoned Light Industry, versus those areas designated for Light Industry on the Mid-Sulphur Springs Valley Area Plan. Ms. Edie clarified the location of industrial areas.

Ms. Beverly Wilson offered some additional clarification of businesses and subdivisions in the area for reference.

Mr. Martzke moved to approve the Docket. Ms. Edie seconded and the motion passed 7 – 0.

Motion: Approve Docket Z-12-06 with the conditions of approval recommended by staff.

Moved by Jim Martzke, **Seconded by** Pat Edie.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Carmen Miller, Pat Edie, Jim Lynch, Ron Bemis, Jay Sanger, Tim Cervantes.

PUBLIC HEARING DOCKET SU-12-12 (Harvey): – Citing legal publication errors, the Chairman called for a motion to table this Docket until a time certain, namely, that of the October 10, 2012 meeting. Mr. Bemis made the motion, Mr. Martzke seconded the motion and it passed unanimously (7 – 0).

Motion: Table Docket SU-12-12 to the October 10, 2012 meeting.

Moved by Ron Bemis, **Seconded by** Jim Martzke.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Carmen Miller, Pat Edie, Jim Lynch, Ron Bemis, Jay Sanger, Tim Cervantes.

PUBLIC HEARING DOCKET SU-12-13 (Echoing Hope Ranch): – The Applicant seeks Special Use Authorization for a Residential Care Institution to provide care for up to ten adults with autism. The 10.61-acre property is in the RU-4 District (Rural; one dwelling per four acres). Residential Care Institutions are allowed with a Special Use permit in the RU-4 Districts, per Section 607.32 of the Zoning Regulations. The Applicant has purchased the existing San Pedro River Inn, a bed and breakfast establishment that was permitted by Special Use in May of 1995. Parcel #104-38-012E is located off Hereford Road, north of South Highway 92, and east of the San Pedro River. The Applicant is Echoing Hope Ranch, a non-profit 501(c)3 corporation.

Deputy Director Beverly Wilson presented the Docket, describing the Echoing Hope organization as a non-profit organization, and explained the importance of the work that the group does on behalf of adults with autism. She said the intent was for the operation to take place in the discontinued San Pedro River Inn Bed & Breakfast, rather than on a 40-acre parcel nearer to Bisbee that lacks adequate water. She described the property and environs as well-suited to adults with autism.

She explained the modifications to development standards being requested by the Applicant. Then she listed the factors in favor of approval; she found no factors against approval. Mr. Lynch invited the Commissioners to discuss the Docket with staff.

Mr. Bemis asked if some turf areas would be replaced with gravel.

Ms. Wilson said that in order to comply with the Sierra Vista Sub-watershed plan policies, some areas on the property may be reverted to native vegetation. He asked what areas would be included in such rehabilitation, and Ms. Wilson showed him the areas on the map. Mr. Bemis asked if the current water regime on the property would suffice for gardening and landscaping on the property, and was told that it would, and that rainwater harvesting would also be employed.

Mr. Lynch invited the Applicant to speak. Norman Smith approached the podium. Marla Guerrero accompanied him. She spoke about the need for placement for autistic children and adults on a nationwide basis. She described autism generally as a means of explaining the need for a facility such as Echoing Hope intended to provide. Mr. Smith spoke about the water needs for the property, as well as his estimation of the minimal impacts he anticipated.

Mr. Sanger asked how many people would be on the property. Mr. Smith said there would be six caregivers and an office staffer; at night there would be four, and overnight there would be one caregiver. There would be as many as 10 residents living on the property. Mr. Sanger asked about provisions to be made for individuals who might wander off the property. Ms. Guerrero said the staff would utilize human as well as technological means to monitor activity on the property. Ms. Guerrero and Mr. Smith then took turns describing the challenges of caring for autistic adults as well as the licensure required by the state for the operation.

Mr. Bemis asked as to the source of water for the pond. Mr. Smith said this was from an old well that had served the dairy farm which had originally been on the property. The ponds were used for irrigation as well as fire fighting.

Mr. Cervantes asked as to the proximity of the site to the SPRNCA, and was told that the property was not within that area, which is administered by the Bureau of Land Management. Mr. Smith described water conservation measures to be employed.

Mr. Lynch invited comments from the public. Mr. Walter Kolbe is the owner of the property. He said the service to be provided by Echoing Hope was desperately needed. He spoke about the condition of the wells, both his own and the BLM well on his property. He said the water level was actually rising in recent years and that he did not anticipate water availability being a challenge on the property. He spoke about the modifications requested, particularly about the driveway.

Mr. Lynch asked the Commission if they had questions for the property owner. Seeing none, the public hearing was closed and the Chairman allowed for discussion. There being none, he called for the staff recommendation. Ms. Beverly Wilson offered a recommendation of conditional approval, explaining the conditions and modifications recommended by staff.

Mr. Martzke moved to approve the Docket.

Motion: Approve Docket SU-12-13 with the conditions of approval recommended by staff and the modifications requested by the Applicant. **Moved by** Jim Martzke, **Seconded by** Ron Bemis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Carmen Miller, Pat Edie, Jim Lynch, Ron Bemis, Jay Sanger, Tim Cervantes.

PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS

Deputy Director Beverly Wilson informed the Commission that a Docket for a slaughterhouse in Sunsites and a recycling facility in Sierra Vista would appear on the October 10, 2012 meeting agenda. She also told the Commission that the Board had approved a Comprehensive Plan amendment with a rezoning on August 28.. Staff passed out a book for the Commissioners. Ms. Wilson spoke about an online course for Planning Commissioners. Mr. Lynch said he had already signed up for the course and had completed a number of sessions.

Mr. Lynch asked the Commissioners to respond to quorum calls.

Mr. Martzke moved to adjourn. Mr. Bemis seconded and the meeting adjourned on a unanimous vote.

ADJOURNMENT: 7:14 p.m.

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.